

**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 2007-105

**CYNTHIA L. SCHUPP, a.k.a.  
CYNTHIA LOUISE BRESSLER,  
CYNTHIA MUELLER SCHUPP,  
CYNTHIA LOUISE MUELLER  
DANEKAS SCHUPP (BRESSLER)**  
3935 North Mt. Pleasant Drive  
Tucson, AZ 85749

Registered Nurse License No. 448998

Respondent.

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on March 23, 2008.

IT IS SO ORDERED February 21, 2008.

  
\_\_\_\_\_  
FOR THE BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS

1 BILL LOCKYER, Attorney General  
of the State of California  
2 ALFREDO TERRAZAS  
Senior Assistant Attorney General  
3 JANICE K. LACHMAN, State Bar No. 186131  
Supervising Deputy Attorney General  
4 California Department of Justice  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 445-7384  
Facsimile: (916) 327-8643

7 Attorneys for Complainant

8  
9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2007-105

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13 **CYNTHIA LOUISE BRESSLER,**  
14 **CYNTHIA MUELLER SCHUPP,**  
15 **CYNTHIA LOUISE MUELLER**  
**DANEKAS SCHUPP (BRESSLER)**  
3935 North Mt. Pleasant Drive  
Tucson, AZ 85749

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

16 Registered Nurse License No. 448998

17 Respondent.

18  
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
20 proceeding that the following matters are true:

21 PARTIES

22 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of  
23 the Board of Registered Nursing. She brought this action solely in her official capacity and is  
24 represented in this matter by Bill Lockyer, Attorney General of the State of California, by Janice  
25 K. Lachman, Supervising Deputy Attorney General.

26 2. Cynthia L. Schupp, a.k.a. Cynthia Louise Bressler, Cynthia Mueller  
27 Schupp, and Cynthia Louise Mueller Danekas Schupp (Bressler), (hereinafter, "Respondent"), is

28 ///

representing herself in this proceeding and has chosen not to exercise her right to be represented by counsel.

3. On or about February 28, 1990, the Board of Registered Nursing issued Registered Nurse License No. 448998 to Cynthia L Schupp. The license expired on June 30, 1999, and has not been renewed.

## JURISDICTION

4. Accusation No. 2007-105 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on October 27, 2006. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2007-105 is attached as exhibit A and incorporated herein by reference.

## ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Accusation No. 2007-105. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1                   13.     In consideration of the foregoing admissions and stipulations, the parties  
2 agree that the Board may, without further notice or formal proceeding, issue and enter the  
3 following Order:

4   **ORDER**

5                   IT IS HEREBY ORDERED that Registered Nurse License No. 448998, issued to  
6 Respondent Cynthia L. Schupp, a.k.a. Cynthia Louise Bressler, Cynthia Mueller Schupp, and  
7 Cynthia Louise Mueller Danekas Schupp (Bressler), is surrendered and accepted by the Board of  
8 Registered Nursing.

9                   14.     The surrender of Respondent's registered nurse license and the acceptance  
10 of the surrendered license by the Board shall constitute the imposition of discipline against  
11 Respondent. This stipulation constitutes a record of the discipline and shall become a part of  
12 Respondent's license history with the Board.

13                  15.     Respondent shall lose all rights and privileges as a registered nurse in  
14 California as of the effective date of the Board's Decision and Order.

15                  16.     Respondent shall cause to be delivered to the Board all evidence of  
16 licensure on or before the effective date of the Decision and Order.

17                  17.     Respondent fully understands and agrees that if she ever files an  
18 application for licensure or a petition for reinstatement in the State of California, the Board shall  
19 treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations  
20 and procedures for reinstatement of a revoked license in effect at the time the petition is filed,  
21 and all of the charges and allegations contained in Accusation No. 2007-105 shall be deemed to  
22 be true, correct, and admitted by Respondent when the Board determines whether to grant or  
23 deny the petition.

24                  18.     If and when Respondent's license is reinstated, Respondent shall pay to  
25 the Board costs associated with its investigation and enforcement in the amount of \$733.75.  
26 Respondent shall be permitted to pay these costs in a payment plan approved by the Board.  
27 Nothing in this provision shall be construed to prohibit the Board from reducing the amount of  
28 cost recovery upon reinstatement of the license.

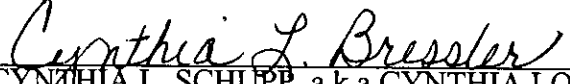
1                   19.     Should Respondent ever apply or reapply for a new license or certification,  
2 or petition for reinstatement of a license by any other health care licensing agency in the State of  
3 California, all of the charges and allegations contained in Accusation No. 2007-105 shall be  
4 deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of  
5 Issues or any other proceeding seeking to deny or restrict licensure.

6                   20.     Respondent shall not apply for licensure or petition for reinstatement for  
7 two (2) years from the effective date of the Board of Registered Nursing's Decision and Order.

8                                   **ACCEPTANCE**

9                   I have carefully read the Stipulated Surrender of License and Order. I understand  
10 the stipulation and the effect it will have on my Registered Nurse License. I enter into this  
11 Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to  
12 be bound by the Decision and Order of the Board of Registered Nursing.

13 DATED: 2-12-07.

14                                     
15 CYNTHIA L. SCHUPP, a.k.a. CYNTHIA LOUISE  
16 BRESSLER, CYNTHIA MUELLER SCHUPP, CYNTHIA  
LOUISE MUELLER DANEKAS SCHUPP (BRESSLER)  
Respondent


17                                   **ENDORSEMENT**

18                   The foregoing Stipulated Surrender of License and Order is hereby respectfully  
19 submitted for consideration by the Board of Registered Nursing of the Department of Consumer  
20 Affairs.

21 DATED: 2-12-07  
          3/1/07

22                                   BILL LOCKYER, Attorney General  
23 of the State of California

24                                   ALFREDO TERRAZAS  
25 Senior Assistant Attorney General

26                                     
JANICE K. LACHMAN  
Supervising Deputy Attorney General

27 Attorneys for Complainant  
28

**Exhibit A**  
**Accusation No. 2007-105**

1 BILL LOCKYER, Attorney General  
of the State of California  
2 JANICE K. LACHMAN, State Bar No. 186131  
Supervising Deputy Attorney General  
3 California Department of Justice  
1300 I Street, Suite 125  
4 P.O. Box 944255  
Sacramento, CA 94244-2550  
5 Telephone: (916) 445-7384  
Facsimile: (916) 327-8643

6 Attorneys for Complainant  
7

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2007 - 105

13 **CYNTHIA L. SCHUPP, a.k.a.**  
14 **CYNTHIA LOUISE BRESSLER,**  
15 **CYNTHIA MUELLER SCHUPP,**  
16 **CYNTHIA LOUISE MUELLER**  
17 **DANEKAS SCHUPP (BRESSLER)**  
3935 North Mt. Pleasant Drive  
Tucson, Arizona 85749

**ACCUSATION**

18 Registered Nurse License No. 448998,

Respondent.

19  
20 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

21 **PARTIES**

22 1. Complainant brings this Accusation solely in her official capacity as the  
23 Executive Officer of the Board of Registered Nursing "(Board)", Department of Consumer  
24 Affairs.

25 **License History**

26 2. On or about February 28, 1990, the Board issued Registered Nurse License  
27 Number 448998 ("license") to CYNTHIA L. SCHUPP, also known as CYNTHIA LOUISE  
28 BRESSLER, CYNTHIA MUELLER SCHUPP, and CYNTHIA LOUISE MUELLER



1 DANEKAS SCHUPP (BRESSLER) ("Respondent"). The license expired on June 30, 1999, and  
2 has not been renewed.

### 3 STATUTORY PROVISIONS

4 3. Section 2750 of the Business and Professions ("Code") provides, in  
5 pertinent part, that the Board may discipline any licensee, including a licensee holding a  
6 temporary or an inactive license, for any reason provided in Article 3 (commencing with section  
7 2750) of the Nursing Practice Act.

8 4. Code section 2764 provides, in pertinent part, that the expiration of a  
9 license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding  
10 against the licensee or to render a decision imposing discipline on the license. Under Code  
11 section 2811, subdivision (b), the Board may renew an expired license at any time within eight  
12 years after the expiration.

13 5. Code section 118, subdivision (b), provides that the suspension,  
14 expiration, surrender, or cancellation of a license shall not deprive the Board of jurisdiction to  
15 proceed with a disciplinary action during the period within which the license may be renewed,  
16 restored, reissued or reinstated.

17 6. Code section 2761 states, in pertinent part:

18 The board may take disciplinary action against a certified or licensed nurse or  
19 deny an application for a certificate or license for any of the following:

20 (a) Unprofessional conduct, which includes, but is not limited to, the  
21 following:

22 (4) Denial of licensure, revocation, suspension, restriction, or any other  
23 disciplinary action against a health care professional license or certificate by another state  
24 or territory of the United States, by any other government agency, or by another  
25 California health care professional licensing board. A certified copy of the decision or  
26 judgment shall be conclusive evidence of that action.

### 24 COST RECOVERY

25 7. Code section 125.3 provides, in pertinent part, that the Board may request  
26 the administrative law judge to direct a licensee found to have committed a violation or  
27 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
28 and enforcement of the case.

1 **CAUSE FOR DISCIPLINE**

2 **(Out-of-State Discipline)**

3 8. Respondent is subject to disciplinary action under Code section 2761,  
4 subdivision (a)(4), on the grounds of unprofessional conduct, in that Respondent was disciplined  
5 by the Arizona State Board of Nursing ("Board"). Effective September 12, 2005, pursuant to the  
6 Board's Consent for Entry of Voluntary Surrender and Order, filed in Case No. 0508019,  
7 Respondent voluntarily surrendered her Arizona Nursing License Number RN 065470 to the  
8 Board. A copy of the Board's Consent for Entry of Voluntary Surrender and Order is attached as  
9 Exhibit A and incorporated herein.

10 **PRAYER**

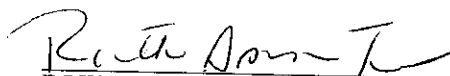
11 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
12 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

13 1. Revoking or suspending Registered Nurse License Number 448998, issued  
14 to CYNTHIA L. SCHUPP, a.k.a. CYNTHIA LOUISE BRESSLER, CYNTHIA MUELLER  
15 SCHUPP, and CYNTHIA LOUISE MUELLER DANEKAS SCHUPP (BRESSLER);

16 2. Ordering CYNTHIA L. SCHUPP, a.k.a. CYNTHIA LOUISE BRESSLER,  
17 CYNTHIA MUELLER SCHUPP, and CYNTHIA LOUISE MUELLER DANEKAS SCHUPP  
18 (BRESSLER), to pay the Board the reasonable costs of the investigation and enforcement of this  
19 case pursuant to Code section 125.3; and,

20 3. Taking such other and further action as deemed necessary and proper.  
21

22 DATED: 10/12/06

23  
24   
25 RUTH ANN TERRY, M.P.H., R.N.  
26 Executive Officer  
27 Board of Registered Nursing  
28 Department of Consumer Affairs  
State of California  
Complainant

## EXHIBIT A

**Janet Napolitano**  
Governor



**Joey Ridenour**  
Executive Director

## *Arizona State Board of Nursing*

1651 East Morten, Suite 210  
Phoenix, AZ 85020-4613  
Phone (602) 889-5150 Fax (602) 889-5155  
E-Mail: [arizona@azbn.org](mailto:arizona@azbn.org)  
Home Page: <http://www.azboardofnursing.org>

### **AFFIDAVIT OF CUSTODIAN OF RECORDS**

STATE OF ARIZONA

COUNTY OF MARICOPA

I, Joey Ridenour, Executive Director for the Arizona State Board of Nursing, County of Maricopa, State of Arizona, do hereby certify that I am the officer having the legal custody for the records hereto attached in the office of the Arizona State Board of Nursing, County of Maricopa, State of Arizona, a public office of said State. The attached copies are true copies of the records on **CYNTHIA LOUISE BRESSLER**. Personnel of the Arizona State Board of Nursing prepared the records during the ordinary course of business.

Witness my hand and the seal of the Arizona State Board of Nursing at 1651 E. Morten Avenue, Suite 210, Phoenix, Arizona 85020 on October 28, 2005.

SEAL

A handwritten signature in cursive script that reads "Joey Ridenour".

Joey Ridenour, R.N., M.N.  
Executive Director

ARIZONA STATE BOARD OF NURSING  
1651 East Morten Avenue, Suite 210  
Phoenix, Arizona 85020-4613  
602-889-5150

ARIZONA STATE BOARD OF NURSING  
05 SEP -6 AM 7:40

IN THE MATTER OF PROFESSIONAL  
NURSE LICENSE NO. RN065470  
ISSUED TO:  
CYNTHIA LOUISE BRESSLER  
RESPONDENT

CONSENT FOR ENTRY OF  
VOLUNTARY SURRENDER  
ORDER NO. 0508019

A complaint charging Cynthia Louise Bressler ("Respondent") with violation of the Nurse Practice Act has been received by the Arizona State Board of Nursing ("Board"). In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements, and the responsibilities of the Board, and pursuant to A.R.S. §32-1663 (D)(5), Respondent voluntarily surrenders her license for a minimum of five years.

Based on the evidence before it, the Board makes the following Findings of Fact,  
Conclusions of Law:

FINDINGS OF FACT

1. Respondent holds Board issued professional nurse license no. RN065470
2. On or about May 11, 2004, the Board received Respondent's renewal application for her RN license and answered "yes" to Question #4: "Since your last renewal, have you had any drug or alcohol related convictions?" Respondent included documentation from the Wisconsin Department of Transportation, which indicated that her driver's license in Wisconsin was revoked due to a conviction for operating a vehicle under the influence; a copy of a Certificate of Achievement dated May 1, 2004 from Alpha Omega Counseling, Inc that she had completed Level Two DUI - Alcohol

Education Classes; and a Traffic Survival School Certificate of Completion from the Arizona Department of Transportation Motor Vehicle Division.

3. On or about July 28, 2004, Board staff spoke to Respondent regarding the Driving Under the Influence (DUI) conviction. Respondent stated that she received her DUI in Cambridge, Wisconsin when she attended a relative's wedding. She said that she was driving back to a local bed-and-breakfast where she was staying when she was stopped. Her BAC was .19. She pled guilty to the DUI charge and completed all of her mandatory requirement for Wisconsin in Arizona, by attending a 16-hour DUI course at Alpha-Omega Counseling in Tucson, Arizona, a traffic safety course and lost of her driving privileges for five months. Respondent stated that she currently drinks about 1-2 glasses wine, 2-3 times per week.

4. On or about July 29, 2004, Respondent called Board staff, admitted that she had a problem with alcohol and requested entry into the Board's CANDO program.

5. On or about August 3, 2004, Board staff interviewed Respondent regarding her use of alcohol. Respondent admitted that she had steadily increased her consumption of alcohol since 1993. She said that she was currently drinking four to five drinks per night with her last drink on August 2, 2004.

6. On or about August 3, 2004, Respondent signed the CANDO Stipulated Agreement, which required, in part, that Respondent attend a chemical dependency treatment program, enroll in a drug screening program and submit to required monthly random drug screens, attend two AA meetings per week and one nurse support group weekly, abstain from the use of alcohol and narcotics, attend aftercare, abstain from unauthorized drug use, notify CANDO of any prescription received, to refrain from working as a nurse until approval to return to work was obtained from the CANDO consultant and upon return to nursing practice, abide by standard nursing practice restrictions.

7. On or about April 14, 2005, Respondent admitted to Board staff that she had relapsed on or about March 16, 2005, stating that she had consumed two alcoholic beverages after a confrontation with her father.

8. On or about April 15, 2005, Respondent signed the relapse addendum, which required, in part, that she abstain from the use of alcohol and narcotics, undergo a relapse prevention evaluation within seven days, submit to random drug screens twice per month for six months, attend 90 AA meetings in 90 days, and refrain from working in nursing until she received authorization from the CANDO consultant.

9. On or about July 14, 2005, Board staff called Respondent, as she had failed to submit to drug screens as required by the relapse addendum. Respondent stated that she had moved to Florida and was living with her sister. She also said that her sobriety was forcing her to deal with issues with her father and she was not handling it well. Respondent stated that she was going to retire from nursing.

10. On or about July 19, 2005, the Board received a letter from Respondent dated July 14, 2005, requesting to voluntarily surrender her license.

#### CONCLUSIONS OF LAW

Pursuant to A.R.S. § § 32-1606, 32-1663, and 32-1664, the Board has subject matter and personal jurisdiction in this matter.

The conduct and circumstances described in the Findings of Fact constitute a violation of A.R.S. § 32-1601(d), (h), and (i) and A.A.C. R4-19-403 (12).

The conduct and circumstances described in the Findings of Fact constitute sufficient cause pursuant to A.R.S. §§ 32-1663 (D)(5) 32-1664(N) to take disciplinary action against

Respondent's license to practice as a professional nurse in the State of Arizona.

Respondent admits the Board's Findings of Fact, Conclusions of Law.

Respondent understands that she has an opportunity to request a hearing and declines to do so. Respondent agrees to issuance of the attached Order and waives all rights to a hearing, rehearing, appeal, or judicial review relating to this Order.

Respondent understands that all investigative materials prepared or received by the Board concerning these violations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter.

Respondent understands that the admissions in the Findings of Fact are conclusive evidence of a violation of the Nurse Practice Act and may be used for purposes of determining sanctions in any future disciplinary matter.

Respondent understands the right to consult legal counsel prior to entering into the Consent Agreement and such consultation has either been obtained or is waived.

Respondent understands that this voluntary surrender is effective upon its acceptance by the Executive Director or the Board and by Respondent as evidenced by the respective signatures thereto. Respondent's signature obtained via facsimile shall have the same effect as an original signature. Once signed by the Respondent, the agreement cannot be withdrawn without the Executive Director or the Board's approval or by stipulation between the Respondent and the Executive Director or the Board. The effective date of this Order is the date the Voluntary Surrender is signed by the Executive Director or the Board and by Respondent. If the Voluntary Surrender is signed on a different date, the later date is the effective date.

////



RECEIVED A.S.B.N.  
SEP -6 PM 7:40  
Respondent understands that Voluntary Surrender constitutes disciplinary action.  
Respondent also understands that she may not reapply for reinstatement during the period of  
Voluntary Surrender.

Respondent agrees that she may apply for reinstatement after the period of voluntary  
surrender under the following conditions, and must comply with current law at the time of their  
application for reinstatement:

The application for reinstatement must be in writing and shall contain therein or have  
attached thereto substantial evidence that the basis for the voluntary surrender has been removed and  
that the reinstatement of the license does not constitute a threat to the public's health, safety and  
welfare. The Board may require physical, psychological, or psychiatric evaluations, reports and  
affidavits regarding the Respondent as it deems necessary. These conditions shall be met before the  
application for reinstatement is considered.

Cynthia L. Bressler  
Cynthia Louise Bressler

Date: 8-31-05

ARIZONA STATE BOARD OF NURSING

SEAL

Joey Ridemour  
Joey Ridemour, R.N., M.N.  
Executive Director

Dated: 9/2/05

SSMITH RND65470

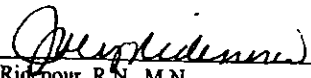
**ORDER**

Pursuant to A.R.S. § 32-1663 (D)(5) the Board hereby accepts the Voluntary Surrender of professional nurse license number RN065470, issued to Cynthia Louise Bressler. This Order of Voluntary Surrender hereby entered shall be filed with the Board and shall be made public upon the effective date of this Consent Agreement. Respondent shall not practice in Arizona under the privilege of a multistate license.

IT IS FURTHER ORDERED that Respondent may apply for reinstatement of said license after a period of five years.

SEAL

ARIZONA STATE BOARD OF NURSING

  
Joey Ridenour, R.N., M.N.  
Executive Director

Dated: 9/12/05

JR/SS:oz

COPY mailed this 23rd day of August 2005 by First Class Mail to:

Cynthia Louise Bressler  
9855 East Irvington Road, #199  
Tucson, AZ 85730

By: Olga Zuniga  
Administrative Secretary